

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

RICO ISAIH HAIRSTON,	:	Case No. 1:22-cv-104
	:	
Plaintiff,	:	
	:	
vs.	:	District Judge Susan J. Dlott
	:	Magistrate Judge Peter B. Silvain, Jr.
	:	
FRELON SPARKS, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	

ORDER

This matter is before the Court on Plaintiff's Cross Motion to File Exhibits Under Seal and Request Review Defendants Brief Reply in Opposition ("Plaintiff's Motion") (Doc. #72) and Defendants' Motion for Leave to File Supplement to Defendants Memorandum In Opposition to Plaintiffs Motion and Request for Temporary Restraining Order/Preliminary Injunction ("Defendants' Motion to Supplement") (Doc. #73).

While not the model of clarity, Plaintiff's Motion appears to request to review Defendants' response brief to Plaintiff's Motion and Request for Temporary Restraining Order. (Doc. #72, *PageID* #s 514-16). The Court construes this as a request for an extension of time for Plaintiff to file his responsive brief, which was due on September 19, 2022. To the extent that Plaintiff requests additional time, his request (Doc. #72) is **GRANTED**. Plaintiff shall file his responsive brief no later than **October 5, 2022**.

In Plaintiff's Motion, he also requests to file certain attached exhibits under seal. However, as Plaintiff has provided no grounds for sealing these exhibits, his request is **DENIED**. *See Shane Grp., Inc. v. Blue Cross Blue Shield of Michigan*, 825 F.3d 299, 305 (6th Cir. 2016) (quoting *Brown & Williamson Tobacco Corp. v. F.T.C.*, 710 F.2d 1165, 1179 (6th Cir. 1983) (There is a

“strong presumption in favor of favor of openness” and the burden of overcoming that presumption is on the party seeking to seal them).

Turning to Defendants’ Motion to Supplement (Doc. #73), Defendants ask to supplement their response to Plaintiff’s Motion and Request for Temporary Restraining Order/Preliminary Injunction with declarations authenticating exhibits in their Memorandum in Opposition (Doc. #69) as the declarants were not available at the time of filing. For good cause shown, Defendants’ Motion to Supplement (Doc. #73) is **GRANTED** and accepted as filed.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff’s Cross Motion to File Exhibits Under Seal and Request Review Defendants Brief Reply in Opposition (Doc. #72) is **GRANTED IN PART AND DENIED IN PART**;
2. Plaintiff shall file his responsive brief no later than **October 5, 2022**; and
3. Defendants’ Motion for Leave to File Supplement to Defendants Memorandum In Opposition to Plaintiffs Motion and Request for Temporary Restraining Order/Preliminary Injunction (Doc. #73) is **GRANTED**.

September 21, 2022

s/Peter B. Silvain, Jr.

Peter B. Silvain, Jr.

United States Magistrate Judge